

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

WENDALL HALL,

Plaintiff,

v.

Case No.: 2:20-cv-7-FtM-66NPM

DONALD SAWYER and EMILY
SALEMA,

Defendants.

_____ /

SHOW CAUSE ORDER

Plaintiff Wendall Hall, a civil detainee at the Florida Civil Commitment Center (“FCCC”), filed this lawsuit alleging numerous grievances about the conditions of his confinement. On November 9, 2020, the parties filed a Joint Report on Settlement in which they request that the Court order a settlement conference before a magistrate judge. (Doc. 40.) On December 4, 2020, Plaintiff filed his own separate motion requesting the Court to refer the case for a settlement conference. (Doc. 41.) On December 15, 2020, Defendants filed a motion for summary judgment. (Doc. 42.) In light of Defendants’ most recent filing of a motion for summary judgment, the Court is uncertain whether either Plaintiff or Defendants have changed their position regarding their earlier joint request for a settlement conference before the magistrate judge.

Accordingly, it is hereby **ORDERED** that:

1. On or before December 28, 2020, the parties shall each file separately a notice regarding settlement conference in which they state their position as to

whether a referral for a settlement conference with the magistrate judge is still appropriate notwithstanding Defendants' summary judgment filing.

2. If the position stated in the notice is to reaffirm the party's earlier request for a magistrate referral for a settlement conference, then the notice shall also indicate whether further briefing on the summary judgment motion should be stayed pending the outcome of the settlement conference or proceed simultaneously therewith.

3. The time in which Plaintiff must file a response to Defendants' summary judgment motion (Doc. 42) is hereby tolled until such time as the Court advises the parties otherwise.

ORDERED in Fort Myers, Florida on December 21, 2020.

A handwritten signature in black ink, reading "John L. Badalamenti". The signature is written in a cursive, flowing style.

JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record
Unrepresented Parties